

---

## *Appendix C*

# **Disadvantaged Business Enterprise Policy**

---

It is the policy of the Department to contribute to the establishment, preservation and strengthening of small businesses and businesses owned by women and minorities and to encourage their participation in professional service procurement activities. The Department encourages consultants to provide for the participation of small businesses and businesses owned by women and minorities.

The Expression of Interest details the information that must be submitted. The following discussion outlines the policy on the use of Disadvantaged Business Enterprise firms. Details on eligibility, certification, pre-registration, forms and assistance may be obtained through the DBE Office.

The Department's DBE Office is responsible for certifying firms as being eligible for participating in this program. A certified DBE firm that desires to respond to a request for consultant services as a prime or lead consultant must be pre-registered with the DelDOT Consultant Control Coordinator's office, the same as any other consultant. Any DBE firm wishing to be considered as a subconsultant to a prime consultant must be certified prior to the date of selection of the prime consultant.

The Department's DBE professional service program is applicable to all federally assisted contracts. All requests for professional services using federal participation must be evaluated for use of and establishment of goals for utilization of Disadvantage Business Enterprises.

The responsibility for determining whether or not a project is conducive to the use of a DBE(s) and the establishment of DBE goals for that project lie with the Project Manager, the DBE Office and the

initiating Director.

DBE goals are established for each DelDOT federally assisted consultant agreement. The Department's overall project goal is ten percent. Although the overall goal is 10%, each contract must be analyzed for scope of work, work tasks to be performed, possible use of subconsultants, and what areas of expertise may be required. The Project Manager, the DBE Office, and, if necessary, the initiating Director then review the qualifications and availability of certified pre-registered DBE firms and set the project goal.

Because of the limited scope and duration of contracts under the established threshold, there may not be tasks suitable for DBEs or other subconsultants. The scope is forwarded to the DBE Office and initiating Director for review.

The DBE Office maintains a record of current utilization of DBE firms versus the Department's progress in meeting the overall DBE goal. This record is based on the DBE Activity Reports shown in Figure 6-5.

The Department's policy is that goals set at the time of initiation of a federally assisted project must remain constant throughout the life of that contract whether it is project-specific or open-ended.

At the time of the review of any supplemental agreement for additional services to a parent agreement, an evaluation of current DBE utilization is made by the DBE Office and decisions are made on DBE goals for this additional work. As a minimum, the initially established goal must be maintained.

Failure of a prime consultant to meet or maintain progress toward meeting project goals will result in a request from the DBE Office for an explanation of why the situation exists, a description of what good faith efforts have been made to meet the goal, and a plan of action to correct the situation.